

**BEST AVAILABLE COPY**

PATENT
ATTY. DOCKET NO. INTEL1180 (P16227)

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION
(FOR INTEL CORPORATION PATENT APPLICATIONS)

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **BIOSENSOR UTILIZING A RESONATOR HAVING A FUNCTIONALIZED SURFACE**, the specification of which

_____ is attached hereto.

X was filed on December 30, 2003 (Attorney Docket No. INTEL1180)
as U.S. Application Serial No. 10/749,529
and was amended on _____ if applicable (the "Application").

I hereby authorize and request insertion of the application serial number of the Application when officially known.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability of the subject matter of the Application as defined in Title 37, Code of Federal Regulations ("C.F.R."), § 1.56.

INTEL CORPORATION
Gray Cary\GT\6379132.1
1090132-11

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made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Yuegang Zhang

Inventor's signature: Yuegang Zhang

Date: 5/20/2004

Residence: 7974 Woodlark Way, Cupertino, California 95014

Citizenship: Peoples Republic of China

Post Office Address: 7974 Woodlark Way, Cupertino, California 95014

Full name of second inventor: Andrew A. Berlin

Inventor's signature: _____

Date: _____

Residence: 1789 Dalton Place, San Jose, California 95124

Citizenship: USA

Post Office Address: 1789 Dalton Place, San Jose, California 95124

Full name of third inventor: Qing Ma

Inventor's signature: _____

Date: _____

Residence: 919 Brentwood Dr., San Jose, California 95129

Citizenship: USA

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made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Yuegang Zhang

Inventor's signature: _____

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Residence: 7974 Woodlark Way, Cupertino, California 95014

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Full name of second inventor: Andrew A. Berlin

Inventor's signature: Andrew Berlin

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Full name of third inventor: Qing Ma

Inventor's signature: Qing Ma

Date: 5/20/04

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Citizenship: USA

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PATENT
ATTY. DOCKET NO. INTEL1180 (P16227)Post Office Address: 919 Brentwood Dr., San Jose, California 95129Full name of fourth inventor: Li-Peng WangInventor's signature: Wang. L-PengDate: 05/20/04Residence: 6423 Bancroft Way, San Jose, CA 95129
~~3450 Granada Ave. #69, Santa Clara, California 95051~~Citizenship: TaiwanPost Office Address: 6423 Bancroft Way, San Jose, CA 95129
~~3450 Granada Ave. #69, Santa Clara, California 95051~~Full name of fifth inventor: Valluri RaoInventor's signature: V. R. RaoDate: 05/24/04Residence: 15115 El Quito Way, Saratoga, California 95070Citizenship: USAPost Office Address: 15115 El Quito Way, Saratoga, California 95070Full name of sixth inventor: Mineo Yamakawa

Inventor's signature: _____

Date: _____

Residence: 254 W. Rincon Ave., #B, Campbell, CA 95008Citizenship: JapanPost Office Address: 254 W. Rincon Ave., #B, Campbell, CA 95008

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Full name of fourth inventor: Li-Peng Wang

Inventor's signature: _____

Date: _____

Residence: 3450 Granada Ave. #69, Santa Clara, California 95051

Citizenship: Taiwan

Post Office Address: 3450 Granada Ave. #69, Santa Clara, California 95051

Full name of fifth inventor: Valluri Rao

Inventor's signature: _____

Date: _____

Residence: 15115 El Quito Way, Saratoga, California 95070

Citizenship: USA

Post Office Address: 15115 El Quito Way, Saratoga, California 95070

Full name of sixth inventor: Mineo Yamakawa

Inventor's signature: 

Date: 1/12/04

Residence: 254 W. Rincon Ave., #B, Campbell, CA 95008

Citizenship: Japan

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Appendix A

John L. Adair, Reg. No. 48,828; Ari G. Akmal, Reg. No. 51,338; David L. Alberti, Reg. No. 43,465; Daryl Basham, Reg. No. 45,869; Mark L. Berrier, Reg. No. 35,066; John J. Bruckner, Reg. No. 35,816; Kevin J. Forrestal, Reg. No. 45,861; Lisa A. Haile, Reg. No. 38,347; Jacob V. Handy, Reg. No. 48,347; Richard J. Imbra, Reg. No. 37,643; Peter R. Leal, Reg. No. 24,226; June M. Learn, Reg. No. 31,238; Alan Limbach, Reg. No. 39,749; George Limbach, Reg. No. 19,305; Karl Limbach, Reg. No. 18,689; Timothy W. Lohse, Reg. No. 35,255; George R. Meyer, Reg. No. 35,284; Dean Nakamura, Reg. No. 33,981; Michael T. Rosato, Reg. No. 52,182; Gerald Sekimura, Reg. No. 30,103; Michael R. Shevlin, Reg. No. 38,724; Andrew V. Smith, Reg. No. 43,132; Steven R. Sprinkle, Reg. No. 40,825; Kieun J. Sung, Reg. No. 48,639; Mark Takahashi, Reg. No. 38,631; Emanuel J. Vacchiano, Reg. No. 43,964; Edward Weller, Reg. No. 37,468; Nan Wu, Reg. No. 43,360; Ronald Yin, Reg. No. 27,607; Barry N. Young, Reg. No. 27,744; my patent attorneys, and my patent agents, of GRAY CARY WARE & FREIDENRICH LLP, with offices located at 4365 Executive Drive, Suite 1100, San Diego, California 92121-2133, telephone (858) 677-1456; and

Alan K. Aldous, Reg. No. 31,905; Rob D. Anderson, Reg. No. 33,826; Shireen I. Bacon, Reg. No. 40,494; Michael Barre, Reg. No. 44,023; Jay P. Beale, Reg. No. 50,901; R. Edward Brake, Reg. No. 37,784; Ben Burge, Reg. No. 42,372; Robert Chang, Reg. No. 48,765; George Chen, Reg. No. 50,807; Glen B. Choi, Reg. No. 43,546; Kenneth Cool, Reg. No. 40,570; Ted A. Crawford, Reg. No. 50,610; Robert Diehl, Reg. No. 40,992; Jeffrey S. Draeger, Reg. No. 41,000; Cynthia Thomas Faatz, Reg. No. 39,973; Christopher Gagne, Reg. No. 36,142; Sharmini N. Green, Reg. No. 41,410; Robert Greenberg, Reg. No. 44,133; Bradley Greenwald, Reg. No. 34,341; Libby Hope, Reg. No. 46,774; Jeffrey B. Huter, Reg. No. 41,086; Seth Z. Kalson, Reg. No. 40,670; Peter Lam, Reg. No. 44,855; Issac Lin, Reg. No. 50,672; Anthony Martinez, Reg. No. 44,223; Molly McCall, Reg. No. 46,126; Larry Mennemeier, Reg. No. 51,003; Paul Nagy, Reg. No. 37,896; Michael J. Nesheiwat, Reg. No. 47,819; Dennis A. Nicholls, Reg. No. 42,036; Lanny Parker, Reg. No. 44,281; Alan Pedersen-Giles, Reg. No. 39,996; Michael D. Plimier, Reg. No. 43,004; Michael Proksch, Reg. No. 43,021; Kevin A. Reif, Reg. No. 36,381; Crystal D. Sayles, Reg. No. 44,318; Russell Scott, Reg. No. 43,103; Kenneth M. Seddon, Reg. No. 43,105; Mark Seeley, Reg. No. 32,299; Ami P. Shah, Reg. No. 42,143; David Simon, Reg. No. 32,756; Steven P. Skabrat, Reg. No. 36,279; Paul E. Steiner, Reg. No. 41,326; Joni D. Stutman-Horn, Reg. No. 42,173; David Tran, Reg. No. 50,804; John F. Travis, Reg. No. 43,203; Robert Wawrzyn, Reg. No. 54,654; Calvin E. Wells, Reg. No. 43,256; Stuart Whittington, Reg. No. 45,215; Michael Willardson, Reg. No. 50,856; Robert Winkle, Reg. No. 37,474; Rita Wisor, Reg. No. 41,382; Sharon Wong, Reg. No. 37,760; and Steven D. Yates, Reg. No. 42,242; my patent attorneys, and my patent agents, of INTEL CORPORATION, with offices located at 2200 Mission College Blvd., Santa Clara, CA 95052, telephone (408)765-8080; with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

Appendix B

Title 37, Code of Federal Regulations, Section 1.56 Duty to Disclose Information Material to Patentability

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office of submitted to the Office in the manner prescribed by § 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applications to carefully examine:

(1) Prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;

or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

- (i) Opposing an argument of unpatentability relied on by the Office, or
- (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.